

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

JOSE JUAN SOSA  
*Plaintiff,*

V.

JORGE ALEJANDRO GONZALEZ  
RODRIGUEZ, TRANSPORTES DE CARGA  
FEMA, SA DE CV, AND SCHNEIDER  
NATIONAL, INC.,  
*Defendants.*

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Civil Action No. 5:21-cv-00075

**DEFENDANT SCHNEIDER NATIONAL, INC.'S NOTICE OF REMOVAL**

TO THE HONORABLE COURT:

COME NOW Defendant Schneider National, Inc. and files its Notice of Removal, and would respectfully show unto the Court as follows:

**I.**  
**PROCEDURAL HISTORY**

1. Plaintiff filed suit in Cause No. 2021CVA000990D1, in the 49th Judicial District Court of Webb County, Texas on or about May 26, 2021. All named Defendants were served on June 23, 2021 through The Texas Secretary of State. Defendant Schneider National, Inc. filed a timely answer on July 16, 2021, as well as an amended answer on July 23, 2021.

2. Defendant Schneider National, Inc. has filed this Notice of Removal within the time period required by 28 U.S.C. § 1446(b).

**II.**  
**NATURE OF THE SUIT**

3. Plaintiff alleges that on or about June 5, 2019, he sustained injuries and damages as a result of a motor vehicle accident that occurred in Laredo, Webb County, Texas.

4. According to Plaintiff's Original Petition, Plaintiff is a citizen of the State of Texas and resides in Webb County, Texas. *See* Plaintiff's Original Petition, section II.

5. Defendant Jorge Alejandro Gonzalez Rodriguez is a citizen of Mexico, residing in Mexico. *See* Plaintiff's Original Petition, section II.

6. Defendant Transportes De Carga Fema, Sa De Cv is a place of business incorporated in Mexico with its principal place of business in Mexico. *See* Plaintiff's Original Petition, section II.

7. Defendant Schneider National, Inc. is a corporation with its principal place of business in the State of Wisconsin and is incorporated under the laws of the State of Wisconsin. *See* Exhibit "A", Affidavit of Denise Lukowitz.

### **III.** **BASIS FOR REMOVAL**

8. Removal is proper because there is complete diversity of citizenship between Plaintiff and Defendants.

9. Plaintiff is an individual who resides in Webb County, Texas. *See* Plaintiff's Original Petition, section II.

10. Defendant Jorge Alejandro Gonzalez Rodriguez is a citizen of Mexico, residing in Mexico. *See* Plaintiff's Original Petition, section II.

11. Defendant Transportes De Carga Fema, Sa De Cv is a place of business incorporated in Mexico and its principal place of business is in Mexico. *See* Plaintiff's Original Petition, section II.

12. Defendant Schneider National, Inc. is a company incorporated under the laws of the State of Wisconsin, whose principal place of business has at all relevant times been maintained in the State of Wisconsin. *See* Exhibit "A", Affidavit of Denise Lukowitz.

13. As pleaded by Plaintiff, the amount in controversy exceeds \$75,000.00. *See* Plaintiff's Original Petition, section IX.

**IV.**  
**VENUE AND JURISDICTION**

14. Venue for this removal is proper in this district under 28 U.S.C. § 1441(a) because this District and Division embrace the place in which the removed action has been pending.

15. This Court has jurisdiction of this action by virtue of the provisions of 28 U.S.C. § 1332 in that this is a case of complete diversity of citizenship between the parties with the amount in controversy exceeding \$75,000.00, exclusive of interest and costs.

**V.**  
**DEFENDANT'S NOTICE OF REMOVAL IS PROCEDURALLY CORRECT**

16. Defendant Schneider National, Inc. has attached to this notice all process, pleadings and orders filed in the state court action as required by 28 U.S.C. §1446(a). (*See Exhibit B*, Index of Matters Being Filed).

**VI.**  
**JURY DEMAND**

19. Plaintiff and Defendant Schneider National, Inc. have made a demand for a jury trial in State District Court.

**VII.**  
**NOTICE TO STATE COURT**

20. Defendant Schneider National, Inc. will promptly file a copy of this Notice of Removal with the Clerk of the State Court in which this action is pending.

Respectfully submitted,

**CASTAGNA SCOTT L.L.P.**  
1120 S. Capital of Texas Highway  
Building 2, Suite 270  
Austin, Texas 78746  
512/329-3290  
888/255-0132 fax

By: /s/ Lynn S. Castagna  
Lynn S. Castagna  
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**ATTORNEYS FOR DEFENDANT  
SCHNEIDER NATIONAL, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person(s), in the manner(s) indicated below:

**VIA FACSIMILE: 210/735-4167**

**And/or VIA E-MAIL**

Andrew E. Toscano  
**GENE TOSCANO, INC**  
846 Culebra Road  
San Antonio, Texas 78201

and in accordance with the Federal Rules of Civil Procedure, on the 23rd day of July, 2021.

/s/ Lynn S. Castagna  
Lynn S. Castagna